

Remarks

Claims 16, 18, 19, and 27-29 remain in the present application.

Claims 16 and 18-19 were indicated by the Examiner as defining allowable subject matter. Each of those claims was dependent from both claims 8 and 12. These claims have been rewritten in independent form: claims 16 and 27 correspond to original claim 16, claims 18 and 28 correspond to original claim 18, and claims 19 and 29 correspond to original claim 19. No new matter has been added to these claims. In view of the comments below, it is submitted that these claims are now in form for allowance.

Claims 8-15, 17 and 20-26 have been cancelled.

The Examiner has rejected claim 8, under the second paragraph of 35 USC §112, requesting that the phrase “pollutant-containing” be utilized to clarify the wording of the claim. That phrase has been incorporated into claims 16, 18 and 19 herein.

The Examiner has objected to the use of the phrase “environmental media” in claim 8. That phrase is actually used in claim 11, which is cancelled herein rendering that objection moot.

The Examiner has also objected to the use of the phrase “relatively natural” in claim 8. That objection is traversed. The term “relatively natural” is defined at page 5, lines 13-27 of the present application. Additional discussion is found at page 9, lines 15-19, and page 13, lines 15-24. The specification very clearly defines the amount of processing that provides “relatively natural” bauxite. In light of that clear definition, it is submitted that the term as used in the claim is sufficiently defined to enable one skilled in the art to practice the invention. Accordingly, it is respectfully requested that this objection be withdrawn.

The rejection of claims 12, 21 and 23, under §102(e), as being anticipated by USPPA 2004/0031749, is rendered moot by the cancellation of those claims herein.


The rejection of claims 13-15 and 24, under §103(a), as being obvious in view of USPPA 2004/0031749, is rendered moot by the cancellation of those claims herein.

The rejection of claims 8, 11, 17, 20, 22, 23, 25 and 26, under §102(b), as being anticipated by US Patent 5,245,106, is rendered moot by the cancellation of those claims herein.

Finally, the rejection of claims 13-15, 23, 24 and 26, under §103(a), as being obvious over US Patent 5,254,106, is rendered moot by the cancellation of those claims herein.

In view of the foregoing, it is submitted that the claims of the present application, as amended herein, are in form for allowance. Accordingly, reconsideration and allowance of those claims are respectfully requested.

Respectfully submitted,
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6 December 2007

Date